

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE: JULIE SMITH Debtor)))))))	CASE NO: 23-40639 Chapter 13 Trustee's Objection to Confirmation Original Confirmation Hearing set for : April 20, 2023 11:00 am
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TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Diana S. Daugherty, Standing Chapter 13 Trustee, and for her objection to confirmation states as follows:

1. The Debtor has not filed 2019, 2020, 2021, 2022 pre-petition tax returns. 11 U.S.C. § 1325(a)(9).
2. Debtor's plan is significantly not feasible in that the guarantee to general unsecured creditors will not be fully paid. The plan states that the hypothetical Chapter 7 liquidation amount is \$80,000, that the section 1325(b) amount is \$53,860, but the plan guarantees 100% repayment to general unsecured creditors. First, the Trustee calculates the hypothetical Chapter 7 liquidation amount as \$55,880. Second, the filed IRS proof of claim shows an unsecured amount due in excess of \$1 million, all of which appears to be attributed to Debtor's ex-spouse. It is unclear why Debtor proposes to pay all filed and allowed claims in full instead of the hypothetical Chapter 7 liquidation amount.
3. Debtor does not schedule ownership of a vehicle, but Schedule J contains a car insurance expense.

WHEREFORE the Trustee prays the Court enter its order denying confirmation of the proposed plan.

Dated: May 02, 2023

OBJCONFAP--JMP

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660

Attorney for Trustee

P.O. Box 430908

St. Louis, MO 63143

(314) 781-8100 Fax: (314) 781-8881

trust33@ch13stl.com

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on May 02, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on May 02, 2023.

JULIE SMITH
108 TIMBERRUN
SAINT PETERS, MO 63376

/s/ Jennifer M. Pontus

Jennifer M. Pontus MO65660